

At an \_\_\_\_ Part \_\_\_\_ of the United States District Court  
for the Southern District of New York, at the Courthouse  
located at 300 Quarropas Street, White Plains, New York,  
10601 on the 2nd day of December, 2020

P R E S E N T:

HONORABLE: CATHY SEIBEL

Judge

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H.S., an Infant by her Parents and Natural  
Guardians, ROSE SPITZER and JOEL SPITZER, and  
ROSE SPITZER and JOEL SPITZER, Individually,

**COMPROMISE ORDER**

Plaintiffs,

No.: 7:19-cv-00015 (CS)

-against-

UNITED STATES OF AMERICA,  
MAHMOUD IBRAHIM, M.D., and  
NYACK HOSPITAL,

*Defendants.*

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Upon reading and filing the affidavit of Joel Spitzer and Rose Spitzer, as parents and natural guardians of the infant herein, sworn to the 29<sup>th</sup> day of October, 2020, the affirmation of Gerald Oginski, Esq dated the October 29, 2020 and H.S., infant, having been born on July 5, 2016, now 4 years of age; and it appearing that H.S. is not competent to make any determination in this action on her own behalf; and upon all of the pleadings and proceedings had herein; and it appearing therefrom that it is in the best interests of H.S. to partially compromise this action

pursuant to local rule 83.2 and discontinue the action solely against defendant Mahmood Ibrahim, M.D., it is hereby

**ORDERED** That the action as against defendant Mahmood Ibrahim, M.D. be and the same is hereby discontinued, with prejudice and without costs; and it is further

**ORDERED**, that this action shall proceed as against the remaining defendants, to wit: United States of America and Nyack Hospital; and it is further

ORDERED, that the caption of the action shall be amended to read as follows:

“UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
=====X

H.S., an Infant by her Parents and Natural  
Guardians, ROSE SPITZER and JOEL SPITZER, and  
ROSE SPITZER and JOEL SPITZER, Individually,

Plaintiffs,

No.: 7:19-cv-00015 (CS)

-against-

UNITED STATES OF AMERICA and  
NYACK HOSPITAL,

Defendants.

=====X”

SO ORDERED.

  
CATHY SEIBEL, U.S.D.J.